

Applicants : Todd W. Pastrick, Linda K. Molenkamp and Roger L. Koops  
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24. (unamended) The mirror system in claim 20 wherein said floodlight projects a pattern of light extending laterally onto the vehicle and downwardly and rearwardly of the vehicle, wherein the lighted security zone extends from the vehicle door to the rear of the vehicle.

#### REMARKS

Claims 1-24 are pending in the application. Claims 2, 3, 5, 6, 10, 12-17, and 19 are objected to as being dependent upon a rejected base claim, but are indicated as being allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. Claims 2, 5, 6, 10, and 12 are rewritten in this manner. Claims 3, 13-17, and 19 are dependent on one of the rewritten claims as a base claim. Claims 20-24 are allowed. Accordingly, claims 1, 4, 7-9, 11, and 18 remain at issue.

The present invention is directed to a security system for vehicles, incorporated into the exterior mirror of the vehicle, which provides a remotely actuated personal safety lighting system. A floodlight is provided in the mirror housing to project light from the housing generally downwardly on an area of ground adjacent a portion of the vehicle in order to create a lighted security zone in that area. The floodlight may be actuated from an actuator that includes a base unit in the vehicle and a remote transmitter, wherein the base unit is responsive to a signal from the remote transmitter in order to actuate the floodlight. In this manner, the operator may actuate the floodlight from a distance in order to establish the security zone prior to approaching the vehicle. The security light may additionally be actuated whenever the interior lights of the vehicle are being actuated, typically by a timeout circuit. This is provided in order to allow the security lamp to be actuated in response to the entry to, or exit from, the vehicle without the operator utilizing the remote transmitter to lock or unlock the doors.

The generally downwardly directed pattern of light may extend laterally onto the vehicle and downwardly and rearwardly of the vehicle in order to provide a lighted security zone from the vehicle door to the rear of the vehicle. This enlarged area protected

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by the security device improves the ability of the user to observe suspicious activities around the vehicle. The pattern of light generated in this manner establishes a security zone around, and even under, the vehicle in the important areas where both the driver and the passengers enter and exit the vehicle.

Claims 1, 4, 7-9, and 18 are rejected under 35 U.S.C. § 103 as being unpatentable over the combination of Vu '430, Lambropoulos et al., and Hirano et al. '036, or, in the alternative, over the combination of Japanese Patent 61-188242, Lambropoulos et al. and Hirano et al. The rejection is traversed. Vu discloses an auxiliary lamp mounted within the housing of an exterior mirror for the express purpose of illuminating the rear side fender when the gear shift lever of the vehicle is placed into reverse in order to help the driver see at night when parking (column 1, lines 24-28). The Japanese Patent 61-188242, for which only an English language abstract is available, appears to be directed to a similar purpose as Vu. A lamp mounted in the mirror casing of an exterior mirror is provided to illuminate the lateral of the rear of the vehicle body. Neither Vu nor the Japanese patent disclose projecting light generally downwardly on an area of ground adjacent the vehicle in order to create a lighted security zone. Both Vu and the Japanese patent are concerned with illuminating rearward of the vehicle and Vu specifically discloses that this function is performed for the purpose of parking the vehicle at night. Neither Vu nor the Japanese patent express an intention to provide protection for occupants entering and exiting vehicles, and neither disclose light patterns that will achieve this purpose.

Vu actuates its lamp either when the vehicle gear shift is in reverse or when a manual switch is closed. The Japanese patent actuates its lamp when a switch 40 is closed. Neither Vu nor the Japanese patent control an exterior mirror-housed light with a remote transmitter in order to secure the area around the vehicle prior to approaching the vehicle. Nor does Vu or the Japanese patent suggest actuating the mirror-housed light when the interior lights of the vehicle are being actuated. Therefore, it can be seen that neither of the

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primary references applied by the Examiner in rejecting the claims is directed to solving the problem uniquely solved by the invention defined in the rejected claims.

As such, neither primary reference provides an enabling disclosure that would guide the skilled artisan in making the substitution suggested in the Office Action for the switch 42 of Vu or the switch 40 of the Japanese patent. Even if, as suggested in the Office Action, the skilled artisan were to somehow be motivated to consider actuating the lamp in Vu or the Japanese patent by either a remote transmitter or by a vehicle interior light circuit, or both, how would the skilled artisan know how to make the substitution? There are many factors to be considered including a desired sequence for actuating the security light at appropriate times in order to create the security zone. However, factors involving when the security light is to be extinguished and when it must not be allowed to be actuated (inhibited) must also be considered. It is submitted that there are too many motivating factors that must be read into the primary references in order to arrive at the invention as defined in the rejected claims.

Recognizing that the primary references are deficient, the Office Action looks to Lambropoulos et al. and Hirano et al. in order to modify the primary references. Both of these secondary references are directed to remote-control systems for operating the door locks of a motor vehicle. The present application teaches that such remote-operated keyless entry systems do not per se enhance the security around the vehicle because such systems merely expedite entry to the vehicle (page 1, lines 12-16). Nonetheless, the Office Action takes the position that one of ordinary skill in the art would have applied the structure of Lambropoulos et al. and Hirano et al. to the primary references because it "would have been an obvious modification to one of ordinary skill in the art and is seen as producing no new or unexpected results." But how would the skilled artisan choose to utilize the teachings of these secondary references to augment the primary references? There is too much that is assumed when one argues that the invention could be assembled from the components

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disclosed piecemeal in the prior art. Furthermore, where does the prior art motivate the skilled artisan to actuate an exterior mirror mounted light from the vehicle's interior light? Even if this were to be obvious to try, there is no teaching in the prior art that would supply the necessary considerations surrounding the times when the light should be illuminated, should not be illuminated and should be inhibited.

It is submitted that the combination of Lambropoulos et al. and Hirano et al. with either Vu or Japanese Patent 61-188242 is improper.

The mere fact that the prior art could be modified in the manner proposed by the Examiner would not have made the modification obvious unless the prior art suggested the desirability of the modification.

Ex parte Dussaud, 7 USPQ2d 1818, 1820 (Bd. of Pat. App. & Int. 1988). The Examiner has not cited any particular teaching in any of the references to suggest the motivation for the combination. Rather, the Examiner appears to be treating the present application as prior art in order to piece together the references. It is submitted that this is improper.

Here, the Examiner relied upon hindsight to arrive at the determination of obviousness. It is impermissible to use the claimed invention as an instruction manual or "template" to piece together the teachings of the prior art so that the claimed invention is rendered obvious. This Court has previously stated that "one cannot use hindsight reconstruction to pick and choose among isolated disclosures in the prior art to depreciate the claimed invention."

In re Fritch, 23 USPQ2d 1780, 1784 (Fed. Cir. 1992).

None of the primary or secondary references applied by the Examiner in rejecting the claims is directed to a personal safety lighting system to create a lighted security zone in the area of the vehicle where occupants will enter and exit the vehicle. None of the references address the problems uniquely solved by the present invention in providing a safety lighting system. Accordingly, not only is each and every one of the cited references deficient in its applicability to the rejected claims, it is submitted that the combined teachings

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of the prior art do not make up for the deficiencies in any one reference. Accordingly, even if the combination urged by the Examiner were attempted by the skilled artisan, the claimed combination would not be suggested. For these reasons, it is submitted that the rejection of the claims at issue under 35 U.S.C. § 103 is improper and should be withdrawn.

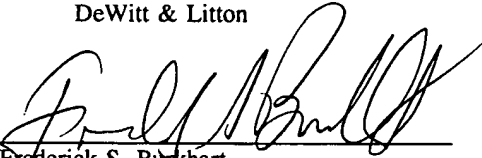
Withdrawal of the rejection and allowance of the present application is earnestly solicited. If the Examiner has any questions or reservations, the Examiner is requested to call the undersigned attorney.

Respectfully submitted,

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